

ORIGINAL

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

ILLINOIS COMMERCE
COMMISSION

2007 MAY 21 P 12:30

TRANSPORTATION DIV

THE VILLAGE OF ANNAWAN, A)
MUNICIPAL CORPORATION, AND)
PATRIOT RENEWABLE FUELS, LLC,)
AN ILLINOIS CORPORATION,)

Petitioners,)

v.)

NO. 107-0041

ILLINOIS DEPARTMENT OF)
TRANSPORTATION AND IOWA)
INTERSTATE RAILROAD,)

Respondents.)

Petition for an Order authorizing)
the construction of an at-grade)
crossing with automatic flashing)
signal lights, etc. and inter-)
connected traffic signals on US)
Highway 6 in Henry County,)
Illinois.)

PETITION

NOW COME Petitioners, The Village of Annawan and Patriot Renewable Fuels, LLC, and state:

1. Petitioner, Village of Annawan, was organized in 1853 within the State of Illinois. The Village has established a business park and TIF District along its eastern edge.

2. Patriot Renewable Fuels, LLC is an Illinois corporation engaged in the process of constructing a dry grind ethanol production facility.

3. Patriot Renewable Fuels, LLC owns and will operate a 100 million gallon dry grind ethanol production facility to process 37 million bushels of locally grown corn, and is located within the Annawan TIF District and business park, and which is also using a portion of the City of Kewanee's enterprise zone.

DOCKETED

MAY 23 2007

Patriot owns approximately 223 acres at the facility site, and will receive corn by truck and rail, process the corn into ethanol and other by-products and ship the ethanol and by-products by truck and rail. Over 200 Midwestern and local citizens, farmers, businesses, primarily from Annawan, Kewanee, Geneseo and the many surrounding communities in Henry, Bureau and Rock Island Counties invested in the ethanol plant.

4. The Village of Annawan seeks to construct a new highway/rail at-grade public road crossing with automatic flashing signal lights and gates, storage lanes and interconnected traffic signals on US Highway 6 and other safety measures for connecting to US Highway 6 for eastern access to its business park, and businesses, located within its facility, including Patriot Renewable Fuels, LLC as shown on Exhibits A and B.

5. The Illinois Commerce Commission has jurisdiction of the subject matter.

6. The rail yard of Patriot extends easterly from its switch with the Iowa Interstate Railroad Company main line. This new public crossing is approximately 4,130 feet to the east from the 2900 E Township road. The Iowa Interstate Railroad has granted a permanent easement along US 6 to facilitate the necessary turning lanes for the new crossing.

7. The public crossing will carry car and truck vehicular traffic to serve as access to Annawan's newly-established business park, as well as Patriot Renewable Fuels, LLC and other industry located along this section of road. The public crossing will also carry regular "through" car and truck vehicular traffic. Patriot Renewable Fuels, LLC will require approximately 140 trucks per day for delivery of grain and other freight to the plant and 75 trucks for export of by-products. It is estimated that in the year 2028 future growth of traffic will be 370 grain trucks and 200 fuel type ethanol trucks. It is assumed that 25% of traffic will utilize the new intersection at US Highway 6 coming from the east. The new western access industrial road to the plant from highway 78 and Interstate 80 will be built by the Village of Annawan.

8. The railroad traffic for Patriot Renewable Fuels, LLC will normally consist of two (2) movements of approximately 25 cars into the facility daily around 3:00 a.m. and one (1) movement of approximately 25 cars leaving the facility daily around 9:30 p.m. Ethanol will be one of the by-products being

shipped by rail. Train speed on the main line is 40 mph and not to exceed 10 mph inside the Patriot plant.

9. Because of the volume of highway traffic (both in connection with the business park, the ethanol plant, and regular through traffic) and the time of day and the rail transportation of ethanol over the proposed crossing, said crossing would warrant flashing light signal protection gates and interconnected traffic signals on us Highway 6 would be necessary in the interest of public safety. The main line track and siding track would be kept level across the grade.

10. The cost of constructing the grade crossing, including engineering and construction is approximately \$2,000,000.00 and will be paid by an Illinois Department of Transportation EDP grant as shown on Exhibit C. Completion of the crossing is anticipated within six months after entry of an Order granting the requested relief.

WHEREFORE, Petitioners, The Village of Annawan and Patriot Renewable Fuels, LLC, respectfully request that the Commerce Commission set the matter for hearing and enter an Order:

A. Authorizing the installation, construction and maintenance of a new at-grade public road crossing with automatic signal lights, gates, storage lanes and interconnected traffic signals on US Highway 6 in Henry County, Illinois.

B. Authorizing all necessary construction of warning devices consisting of automatic flashing lights and gates and signalization to activate the warning devices.

C. Directing that no funds be paid from the Grade Crossing Protection Fund for these improvements.

D. Grant such other relief as the Commission deems appropriate.

Respectfully submitted,

The Village of Annawan and
Patriot Renewable Fuels, LLC,
Petitioners

By: 

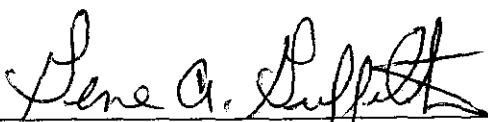
One of Their Attorneys

Sorling, Northrup, Hanna
Cullen & Cochran, Ltd.
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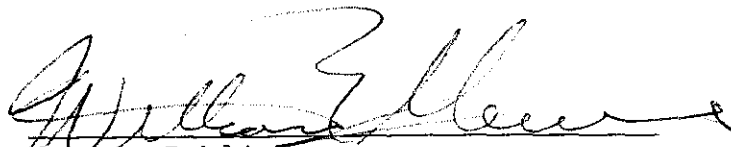
William E. Stewart
Attorney at Law
117 S. Chestnut St.
Kewanee, IL 61443
Telephone: 309.853.4878
Fax: 309.853.4878

VERIFICATION

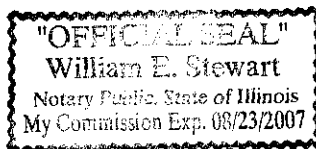
Gene Griffith, being first duly sworn, on oath does depose and state that he has read the foregoing Petition by him subscribed, and that he has personal knowledge of all of the matters therein stated, and that the same are true in substance and in fact to the best of his knowledge, information and belief.


Gene Griffith, President

Subscribed and sworn to before me this 16 day of May, 2007.


Notary Public

Gene Griffith, President
Patriot Renewable Fuels, LLC
PO Box 560
313 N. Canal St.
Annawan, IL 61234



PROOF OF SERVICE

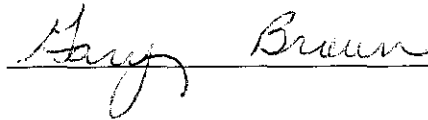
The undersigned hereby certifies that a copy of the foregoing document was served by placing same in a sealed envelope addressed:

Illinois Department of Transportation
Attn: Brent Hasenauer
Division of Highways, Region 2, District 2
819 Depot Avenue
Dixon, IL 61021-3500

Iowa Interstate Railroad
Attn: Chad Lambi
5900 6th Street SW
Cedar Rapids, IA 52404

Ms. Ellen J. Schanzle-Haskins
Chief Counsel
Illinois Department of Transportation
2300 S. Dirksen Pkwy, Room 300
Springfield, IL 62764

and by depositing same in the United States mail in Springfield, Illinois, on the 21 day of May, 2007, with postage fully prepaid.

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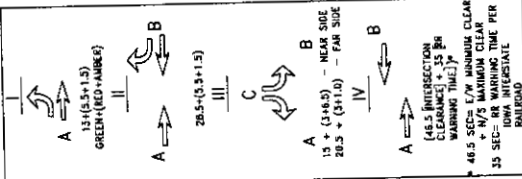
SHEET NUMBER

SHIVE HATTERY

Cedar Rapids, IA • Iowa City, IA • Des Moines, IA
Moline, IL • Bloomington, IL • Chicago, IL

5645-14173/1, INC. 1701 84TH AVE. SUITE 200 WOLFEA 51245
PHONE (319) 764-7850 FAX (319) 764-0815
<http://www.miller-hollady.com>
ILLINOIS FPM NUMBER 144-00214

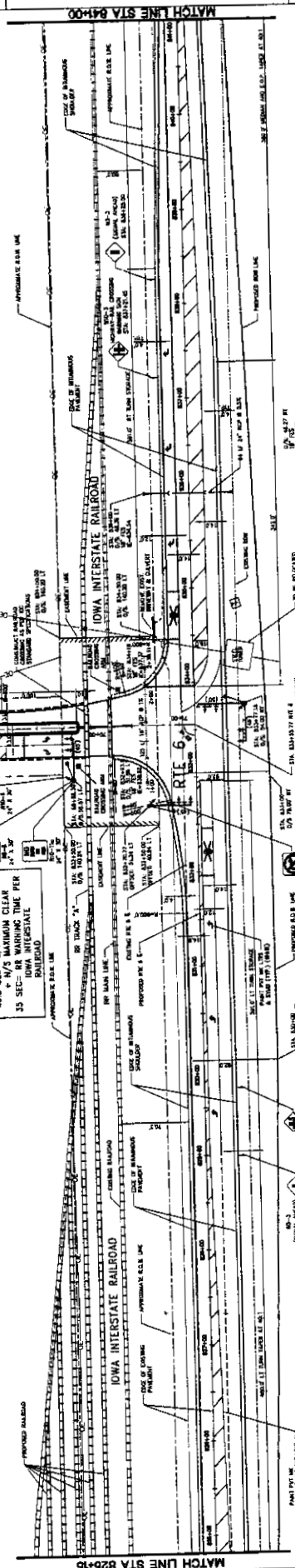
PHASING DIAGRAM



CAPACITY DESIGN STUDY

3 PHASE		AREA UNDER		PEAK HOUR FACTOR		INTERSECTION LEVEL	
SIGNAL TYPE		AVERAGE		P.M.		P.M.	
SEC. CYCLE		PERCENTAGE		SEC.		SEC.	
SEC. TYPE		PROGRAM USED		SEC.		SEC.	
APPROACH		A		B		C	
BUS STOP CONDITION		1900		1900		1900	
PASSING MANUEVER/HR.		1.0		1.0		1.0	
PEDESTRIANS		3		3		3	
ARRIVAL TYPE		1.0		1.0		1.0	
LANE UTILIZATION		1900		1900		1900	
BASE SATURATION FLOW		1900		1900		1900	
D - DISTANCE		360 FT		360 FT		360 FT	
LANE GROUP		L		L		L	
LANE WIDTHS (FEET)		12		12		12	
GREEN TIME (SECONDS)		20.5		20.5		20.5	
C/C RATIO		0.91		0.91		0.91	
CALCULATED		1.5		1.5		1.5	
LANE GROUP		L		L		L	
BASE SATURATION FLOW		1900		1900		1900	
V/C RATIO		0.07		0.07		0.07	
LEVEL OF SERVICE		A		A		A	
2028 30TH MAX.		10		11		11	
SIGNAL NUMBER		11		11		11	
SIGNAL TRANSFER		P		P		P	

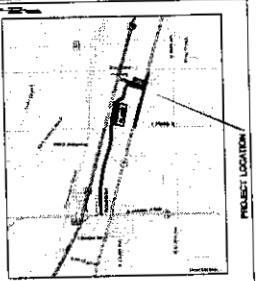
NOTE: A.M. BEAM IS DESIGN HOUR.



INTERSECTION DESIGN STUDY

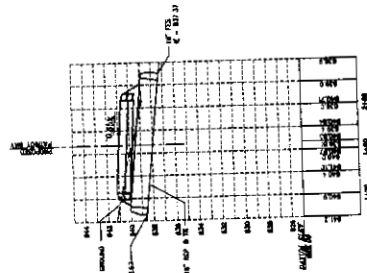
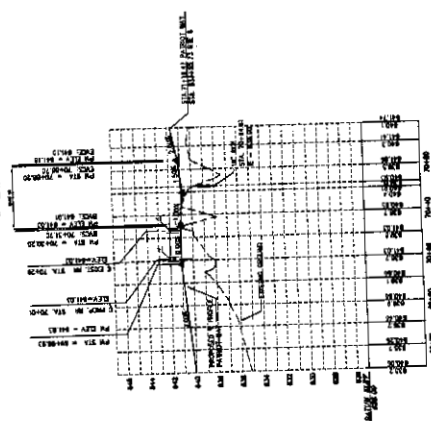
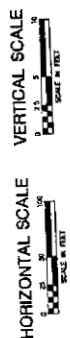
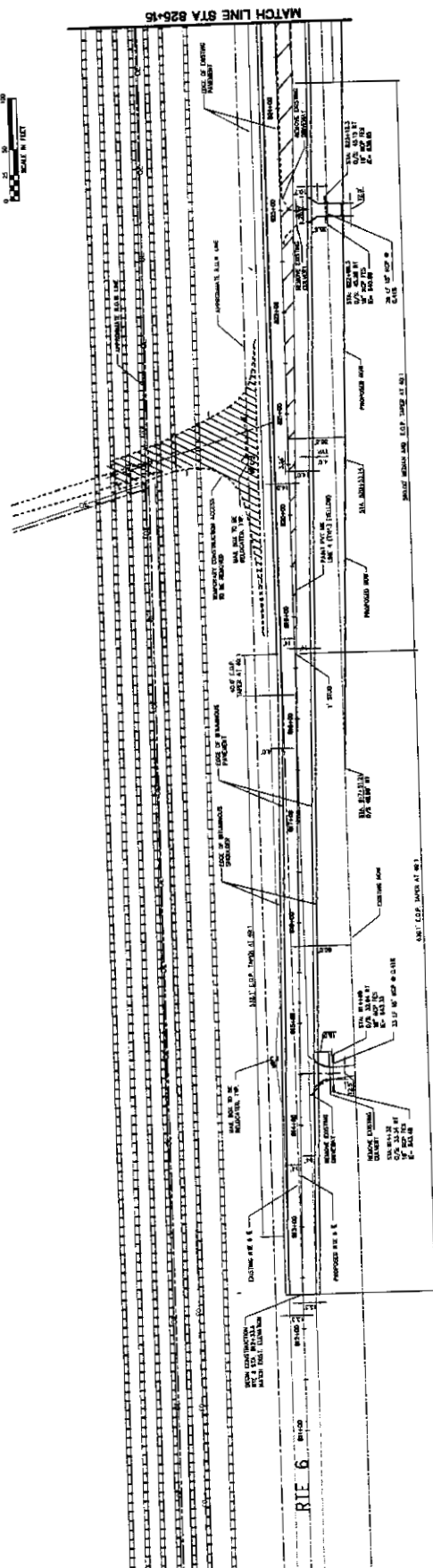
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LOCATION MAP



2028 PEAK HOUR DIAGRAM (AM)

[illegible]



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SHIVE-HATTERY, INC. 1701 N.E. 2ND AVE., SUITE 200 MAQUOKET, IOWA 52601
PHONE (563) 761-7650 FAX (563) 764-4834
http://www.shive-hattery.com 1004-00014

INTERSECTION DESIGN STUDY

SUB ROUTE 1 WITH PATRIOT WAY

SEC. NO. 1

SCALE 1/8" = 1'

COUNTY HENRY

PROJ. NO. 306385-3

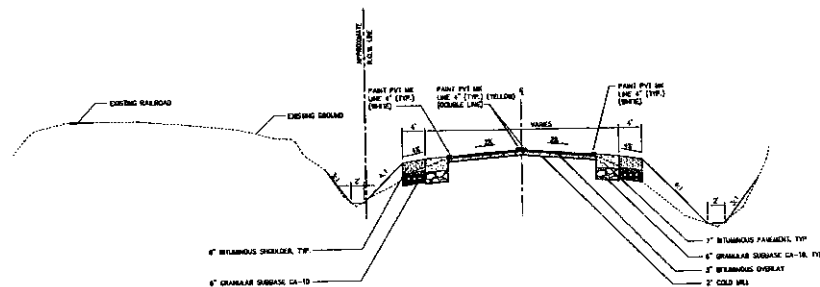
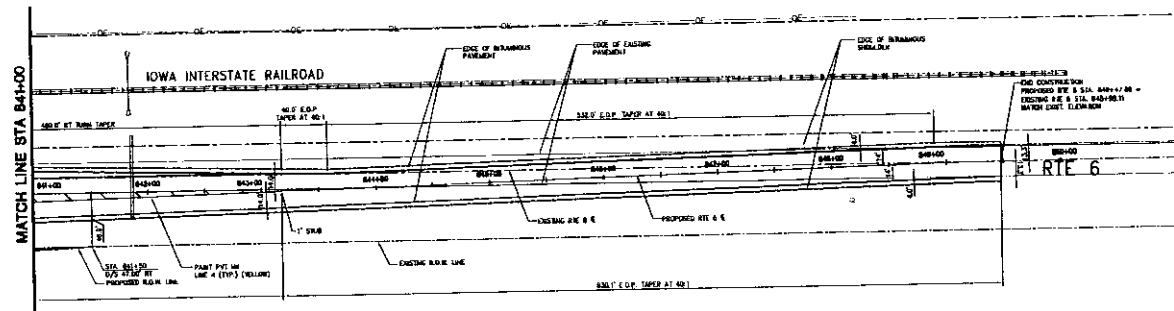
L.D.S. SHEET 2 OF

PATRIOT WAY STORM CULVERT @ STA. 70+64.81

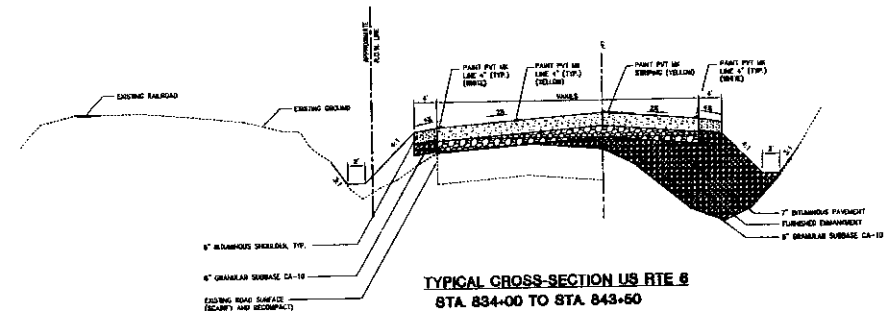
PATRIOT WAY PROFILE STA. 69+00 TO STA. 71+83.47

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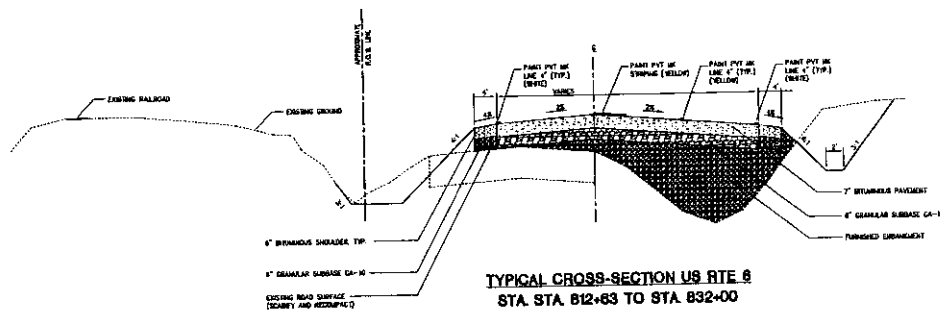
DATE: 11/11/03
 FILE NAME: 11-11-03
 USER: J. HENRY



TYPICAL CROSS SECTION US RTE 6
 STA 812+35 TO STA 812+63
 STA 849+2125 TO STA 849+50



TYPICAL CROSS SECTION US RTE 6
 STA 834+00 TO STA 843+50



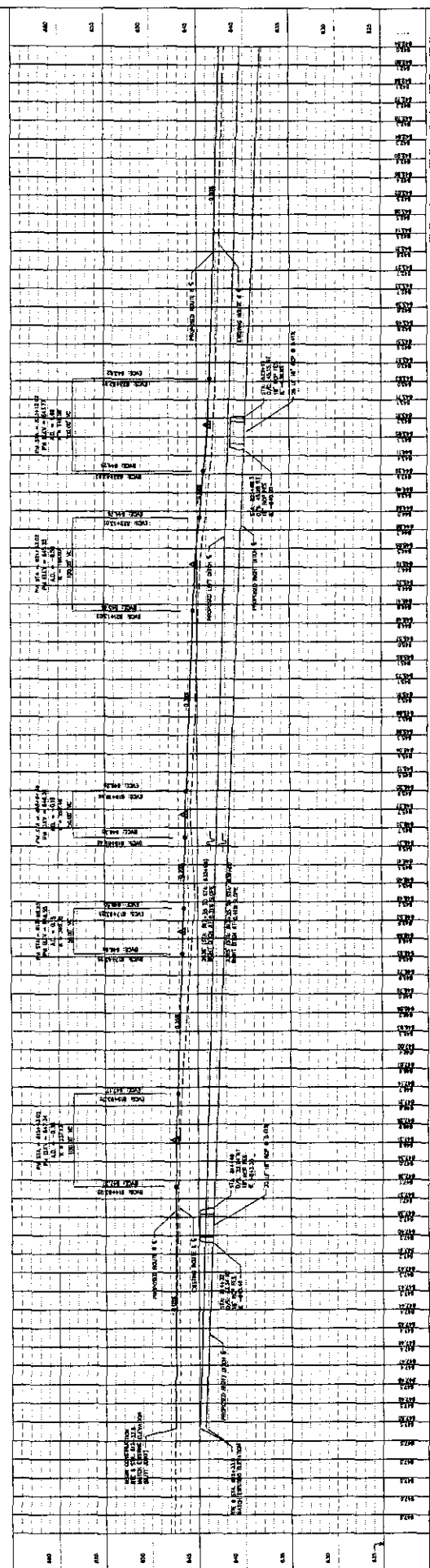
TYPICAL CROSS SECTION US RTE 6
 STA 812+63 TO STA 832+00

SHIVE HATTERY
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 SHIVE-HATTERY, INC. 1201 RIVER DRIVE, SUITE 200 MOULDER, IOWA 52245
 PHONE (319) 764-7600 FAX (319) 764-0600
 WWW.SHIVE-HATTERY.COM
 ILLINOIS FIRM NUMBER: 104-000214

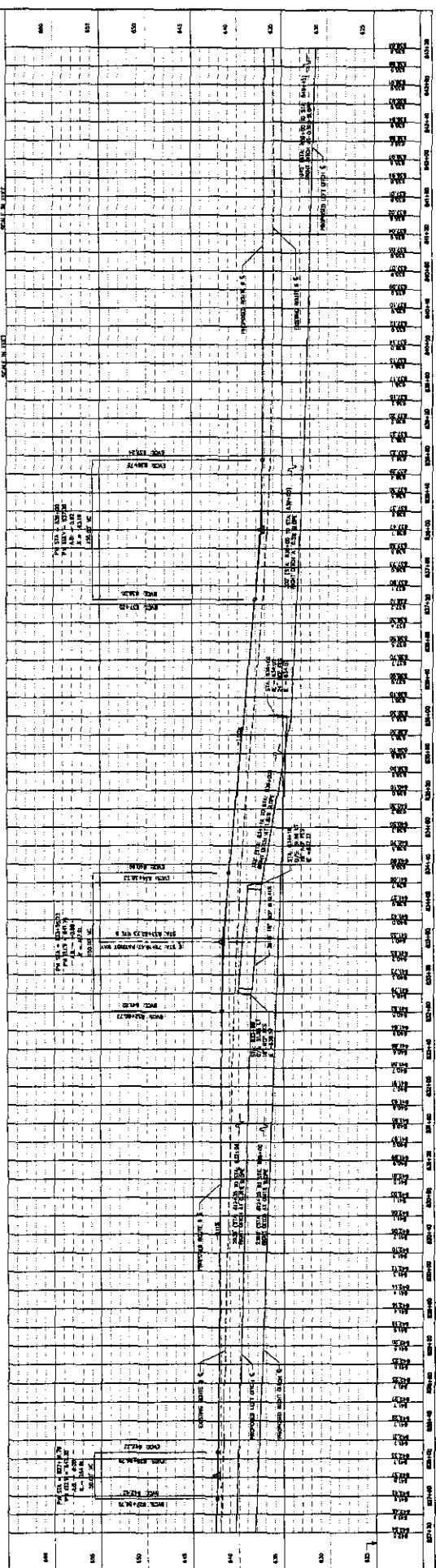
INTERSECTION DESIGN STUDY
 S.B.J. ROUTE 1 WITH PATRIOT WAY
 ROUTE WITH
 SEC. NO. 1
 SCALE 1/4" = 1' COUNTY HENRY
 S.M. 1 PROJ. NO. 304263-3
 I.D.S. SHEET 2 OF 3

REV-000

CONTRACT NO.	SECTION	COUNTY	SHEET NO.
101-100	5	ST. LOUIS	4
STA. 831+00	TO STA. 843+00	ILLINOIS	FED. AID PROJECT



PROFILE STA 811+20 TO STA 827+20



PROFILE STA 827+20 TO STA 843+20

DATE	BY	CHECKED	APPROVED
10/1/50	J. H. HARRIS	J. H. HARRIS	J. H. HARRIS

DATE	BY	CHECKED	APPROVED
10/1/50	J. H. HARRIS	J. H. HARRIS	J. H. HARRIS

DATE	BY	CHECKED	APPROVED
10/1/50	J. H. HARRIS	J. H. HARRIS	J. H. HARRIS

